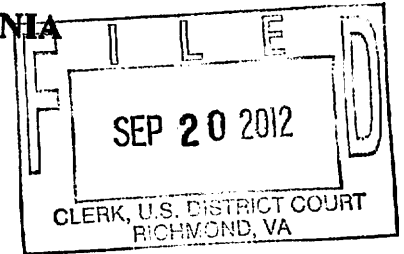


**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**



DEBRA LOVING,

Plaintiff,

v.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

Civil Action No. 3:11CV411-HEH

ORDER

(Adopting in Part the Report & Recommendation of the U.S. Magistrate Judge)

THIS MATTER is before the Court on the Report and Recommendation ("R&R") of the U.S. Magistrate Judge (ECF. No. 17), as well as the Defendant Commissioner of Social Security's (the "Commissioner") objections thereto (ECF. No. 18). For the reasons set forth in the accompanying Memorandum Opinion, the Commissioner's objections are hereby **OVERRULED IN PART** and **SUSTAINED IN PART**, and the R&R is **ADOPTED IN PART**. Accordingly, Plaintiff Debra Loving's Motion for Summary Judgment (ECF. No. 7) is **GRANTED**; the Commissioner's Motion for Summary Judgment (ECF. No. 9) is **DENIED**; the decision of the Commissioner is **REVERSED**; and the matter is **REMANDED** for further proceedings consistent with the accompanying Memorandum Opinion.

The Clerk is directed to send a copy of the Memorandum Opinion and this Order and to all counsel of record.

This case is **CLOSED**.

It is so ORDERED.

HEH /s/
Henry E. Hudson
United States District Judge

Date: Sept. 20, 2012
Richmond, VA